

**CITY OF LATHROP
CITY COUNCIL REGULAR MEETING
MONDAY, MARCH 14, 2022
7:00 P.M.
COUNCIL CHAMBER, CITY HALL
390 Towne Centre Drive
Lathrop, CA 95330**

MINUTES

PLEASE NOTE: There was a Closed Session, which commenced at 5:36 p.m. The Regular Meeting reconvened at 7:02 p.m.

1. PRELIMINARY

1.1 CALL TO ORDER – Mayor Dhaliwal called the meeting to order at 5:36 p.m.

1.2 CLOSED SESSION

1.2.1 CONFERENCE WITH LEGAL COUNSEL: Anticipated Litigation - Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(b)

- 2 Potential Case(s)

1.2.2 CONFERENCE WITH REAL PROPERTY NEGOTIATORS: Pursuant to Government Code Section 54956.8
Project: Louise / McKinley Ave Intersection Project, CIP PS 15-02
Property: 16490 McKinley Ave (APN: 198-100-09)
Agency Negotiator: Stephen J. Salvatore, City Manager
Negotiating Parties: 1694 McLouise, LLC
Under Negotiation: Price and Terms of Purchase

1.2.3 CONFERENCE WITH LABOR NEGOTIATOR Pursuant to Government Code Section 54957.6
Agency Negotiator: Stephen J. Salvatore, City Manager
Employee Organization: Service Employees International Union (SEIU) Local 1021

1.2.4 CONFERENCE WITH LABOR NEGOTIATOR Pursuant to Government Code Section 54957.6
Agency Negotiator: Stephen J. Salvatore, City Manager
Employee Organization: Lathrop Mid-Managers and Confidential Employees Association (LMCEA)

1.2.5 CONFERENCE WITH LABOR NEGOTIATOR Pursuant to Government Code Section 54957.6
Agency Negotiator: Stephen J. Salvatore, City Manager
Unrepresented Employees: Chief Information Officer, Chief of Police, City Engineer, Director of Community Development, Director of

Finance, Director of Government Services / City Clerk, Director of Human Services, Director of Parks, Recreation and Maintenance Services, Director of Public Works, Human Resources Manager, and Unrepresented Public Safety: Commanders, Sergeants, and Police Officers

RECONVENE – Mayor Dhaliwal reconvened the meeting at 7:02 p.m.

1.2.6 REPORT FROM CLOSED SESSION

City Attorney Salvador Navarrete reported that direction was provided in regards to Items 1.2.1 through 1.2.5; no other reportable action was provided.

1.3 ROLL CALL Present: Mayor Dhaliwal; Vice Mayor Lazard; and Councilmembers: Akinjo, Diallo and Torres-O’Callaghan.

Absent: None.

1.4 INVOCATION – Pastor Troy Stein, New Life Church, provided the invocation.

1.5 PLEDGE OF ALLEGIANCE – Pastor Stein led the pledge of allegiance.

1.6 ANNOUNCEMENT(S) BY MAYOR / CITY MANAGER

On behalf of City Manager Stephen Salvatore, Government Services Director / City Clerk Teresa Vargas announced upgrades to the City Hall Council Chamber audio/video room, enhancing the ZoomGov experience for those joining remotely.

1.7 INFORMATIONAL ITEM(S) – None

1.8 DECLARATION OF CONFLICT(S) OF INTEREST -

Vice Mayor Lazard declared conflict of interest with Items 4.8 and 4.9, due to her employment with Dell’Osso Farms.

2. PRESENTATIONS

2.1 LATHROP POLICE DEPARTMENT PROJECT UPDATE, CIP GG 21-11

City Consultant Dr. Merlin Switzer (Municipal Resource Consulting Group) and incoming City of Lathrop Police Department, Chief of Police Raymond Bechler provided the presented, which included an update on accomplished milestones, overview of community meetings held throughout the city, and on on-going recruitments.

City Consultant Dan Drummond (Municipal Resource Consulting Group) provided an updated on the joint agreement with City of Ripon to provide dispatch communications services, and overview of vehicles and equipment for the new police department. A question and answer period followed the presentation.

2.2 MAYOR'S COMMITTEE REPORT(S)

- Parks, Recreation & Maintenance Services Update on Committee Events and Programs

Parks, Recreation and Maintenance Services Director Zach Jones reported the following past and upcoming events and programs:

- *City Hall Featured Artist*

Announced art display in the City Hall Council Chamber by artist George E. Simmons, art available for viewing Monday through Thursday 8 am – 6 pm, and Fridays 8 am – 5 pm.

- *Activity Assistance Fund*

Provided an overview on the City of Lathrop financial assistance fund designed to help qualifying residents with registration fees for parks and recreational programs.

- *Special Events*

Provided an overview on various upcoming events: "Donuts with the Bunny", scheduled for April 9, 2022; "Earth Day Recycling Event" scheduled for April 23, 2022; and Mayor's Art Show Reception, scheduled for May 13, 2022.

- *Senior Center Programs*

Provided an overview on various upcoming events: "Flower Creations" group meets the 1st Wednesday of each month; "Book Club" group meets the 3rd Wednesday of each month; "St. Patrick's Day" luncheon, scheduled for March 17, 2022; and guest speaker Karina Talavera from the Catholic Charities will speak about healthy living, scheduled for March 23, 2022.

- *Youth Development*

Provided an overview on various upcoming events: "Spring Camp" scheduled for March 14-18, for grades K-6th; "Kids at Play" program scheduled for April 5-28, for ages 3-5; and the "Spring Cupcake" workshop scheduled for April 9, 2022, for grades 3-6th.

- *Teen Programs*

Provided an overview on various upcoming events: "Karaoke Night" scheduled for March 25, 2022, for grades 7-12th; and "Family Feud" LHS Club Edition, scheduled for April 22, 2022, for grades 9-12th.

- *Leisure Programs*

Provided an overview on upcoming leisure programs: Gymnastics for ages 6-17; Skateboarding Clinic for ages 5 and up; Football training for ages 5-13; and "Easter Eggs" Paint Night, scheduled for April 14.

- *Maintenance Services*

Provided an overview on various Maintenance Services activities, which included weed abatement completed on main right-of-way alleys between 5th and 7th Streets; recycled various scrap metal material yielding \$1,106 in revenue for the city; and nuisance fruit tree sterilization.

- *Solid Waste & Recycling*

Provided an overview of various education and outreach activities, such as: grant submittal to CalRecycle; organic waste education material mailed to all households and businesses in conjunction with Republic Services; and update on the rerouting of garbage/recycling/green waste collection schedule to accommodate new residential areas, which began on February 21, 2022.

3. CITIZEN'S FORUM

Government Services Director / City Clerk Teresa Vargas announced public comment letter/email received from Tiffani Underwood, dated March 13, 2022. Tiffani Underwood (zoom speaker) provided additional information regarding her concerns. Jerrod Mays (in person speaker) expressed interested in metal art for the City of Lathrop entrance signs depicting Lathrop's railroad history.

4. CONSENT CALENDAR

On a motion by Councilmember Torres-O'Callaghan, seconded by Vice Mayor Lazard, the City Council approved the Consent Calendar, except *Items 4.8 and 4.9, by the following roll call vote, unless otherwise indicated:

Ayes:	Akinjo, Diallo, Lazard, Torres-O'Callaghan, and Dhaliwal
Noes:	None
Absent:	None
Abstain:	Akinjo (<i>abstained on Item 4.2 only due to absence</i>)

**Items 4.8 and 4.9 were voted on separately from the Consent Calendar.*

4.1 WAIVING OF READING OF ORDINANCES AND RESOLUTIONS

Waived the reading in full of ordinances and resolutions on agenda and adopt by reading of title only, unless otherwise requested by the Mayor or a Councilmember.

4.2 APPROVAL OF MINUTES

Councilmember Akinjo abstained on Item 4.2 only due to absence.

Approved Minutes for the Special Council Meeting of January 13, 2022 and Regular Council Meeting of February 14, 2022.

4.3 DECLARE CERTAIN VEHICLES AND EQUIPMENT SURPLUS PROPERTY AND AUTHORIZE THEIR DISPOSAL

Pulled by Councilmember Diallo. A question and answer period ensued. Finance Director Cari James provided additional information.

Adopted **Resolution 22-5030** declaring certain vehicles and equipment surplus property and authorizing their disposal.

4.4 ACCEPT THE GENERAL PLAN HOUSING ELEMENT ANNUAL PROGRESS REPORT FOR CALENDAR YEAR 2021

Adopted **Resolution 22-5031** accepting the General Plan Housing Element Annual Progress Report for Calendar Year 2021 and authorizing staff to submit the Report to the Governor's Office of Planning and Research and State Department of Housing and Community Development.

4.5 APPROVE 2022 ONE VOICE TRIP PROJECT NOMINATIONS

Adopted **Resolution 22-5032** approving staff recommended project nominations for the 2022 San Joaquin One Voice Trip.

4.6 APPROVE TASK ORDER NO. 27 WITH 4LEAF, INC. FOR INTERIM CHIEF BUILDING OFFICIAL CONSULTING SERVICES

Adopted **Resolution 22-5033** approving Task Order No. 27 to provide Interim Chief Building Official consulting services, pursuant to Master Consulting Agreement dated September 21, 2015 with 4Leaf, Inc.

4.7 AWARD CONSTRUCTION CONTRACT TO AMERINE SYSTEMS INC. FOR THE CITY HALL LANDSCAPE RENOVATION, CAPITAL IMPROVEMENT PROJECT GG 21-09 AND APPROVE RELATED BUDGET AMENDMENT

Adopted **Resolution 22-5034** awarding a Construction Contract to Amerine Systems Inc. for the City Hall Landscape Renovation, CIP GG 21-09, and approving related budget amendment.

RIVER ISLANDS CONSENT ITEM(S)

Councilmember Lazard recused herself, following the vote of the consent calendar (Items 4.1 to 4.7), prior to the vote of Items 4.8 and 4.9, due to declared conflict of interest as noted in Item 1.8.

On a motion by Councilmember Torres-O'Callaghan, seconded by Mayor Dhaliwal, the City Council approved Items 4.8 and 4.9, by the following roll call vote, unless otherwise indicated:

Ayes: Akinjo, Torres-O'Callaghan, and Dhaliwal
Noes: None
Absent: Diallo
Abstain: Lazard

4.8 APPROVE JOINT USE AGREEMENT AND RELATED EASEMENT AGREEMENT WITH BANTA UNIFIED SCHOOL DISTRICT

Pulled by Councilmember Akinjo. A question and answer period ensued. Parks, Recreation and Maintenance Services Director Zach Jones provided additional information.

Adopted **Resolution 22-5035** approving a Joint Use Agreement and related Easement Agreement between the City of Lathrop and the Banta Unified School District.

4.9 ACCEPT PUBLIC IMPROVEMENTS FOR TRACT 3833 VILLAGE "L" FROM RIVER ISLANDS DEVELOPMENT, LLC

Adopted **Resolution 22-5036** accepting public improvements for Tract 3833 Village "L" from River Islands Development, LLC.

Councilmember Lazard returned to the chamber/dais following the vote of Items 4.8 and 4.9, for the remainder of the meeting.

5. SCHEDULED ITEMS

5.1 OUT-OF-STATE APPROVAL FOR THE 2022 SAN JOAQUIN COUNTY ONE-VOICE TRIP

City Clerk Teresa Vargas provided the presentation. A question and answer period followed. The City Council discussed adding a new Option (#6) that would include sending three (3) Council Members and the City Manager.

On a motion by Mayor Dhaliwal, seconded by Councilmember Torres-O'Callaghan, the City Council adopted **Resolution 22-5037** authorizing new Option 6; out-of-state travel for three (3) Council Members (the Council nominated Councilmembers Akinjo and Diallo, and Vice Mayor Lazard) and the City Manager to attend the 2022 San Joaquin One Voice Trip to Washington, D.C., from May 7-13, 2022, and approved related budget amendment. Furthermore, the City Council voted to cancel the Regular Meeting of May 9, 2022 due to lack of quorum, and scheduled a Special Meeting on Monday, May 16, 2022.

Ayes: Akinjo, Diallo, Lazard, Torres-O'Callaghan, and Dhaliwal
Noes: None
Absent: None
Abstain: None

5.2 BIENNIAL BUDGET FISCAL YEAR (FY) 2021 – 2022 MID-YEAR REPORT (YEAR 1)

City Manager Stephen Salvatore provided a brief overview of the item. Finance Director Cari James provided the presentation. A question and answer period followed the presentation. City Attorney Salvador Navarrete provided additional information.

On a motion by Councilmember Akinjo, seconded simultaneously by Councilmember Lazard and Mayor Dhaliwal, the City Council adopted **Resolution 22-5038** approving the Mid-Year Budget Report for Year 1 of the Biennial Budget Fiscal Year 2021-22, and related budget augmentation request.

Ayes: Akinjo, Diallo, Lazard, Torres-O'Callaghan, and Dhaliwal
Noes: None
Absent: None
Abstain: None

5.3 CONSIDER RESPONSE TO CITY RFP FOR A COMMERCIAL CANNABIS RETAIL DISPENSARY IN THE CITY OF LATHROP

City Attorney Salvador Navarrete provided the presentation. A question and answer period ensued throughout the presentation. Incoming Police Chief Bechler, Interim Fire Chief Capper, and Acting Police Chief Alagna provided additional information. Tim Hensley (in person speaker) expressed interest in establishing a commercial cannabis retail dispensary in the City of Lathrop, expressed regret for not being able to submit his application timely, requested Council to consider a new deadline. Corey Travis (in person speaker/applicant) expressed interest in establishing a commercial cannabis retail dispensary in the City of Lathrop. Mark Elliott (in person speaker) expressed concern with the matter, including the proposed location of the retail dispensary, public safety and implementing a yearly review of the proposed business. Donald Jimenez (in person speaker/applicant) provided additional information regarding the location on Harlan Road, next to Shell Gas, across from Popeye's Chicken.

On a motion by Vice Mayor Lazard, seconded by Councilmember Diallo, the City Council reviewed the response received and approved the response from Central California Greens, as the selected party to process with the application process to establish a commercial cannabis retail dispensary in the City of Lathrop.

Ayes: Diallo, Lazard, Torres-O'Callaghan, and Dhaliwal
Noes: None
Absent: None
Abstain: *Akinjo

*(*The City of Lathrop City Council Handbook of Rules and Procedures, page 13, Chapter IV, Section B(5) applies to abstentions without identified legal disqualifications.)*

6. COUNCIL COMMUNICATIONS

6.1 COUNCILMEMBER DIALLO REFERRAL - Discussion on American Rescue Plan Act Funding

Councilmember Diallo provided an overview, requested community outreach to identify best methods in disbursing the American Rescue Plan Act funds. The City Council discussed the matter. Council consensus directed staff to bring back options on funding additional parks and recreation programs and or community assistance with food/essential items.

6.2 MAYOR & COUNCILMEMBER COMMITTEE REPORT(S) - None

6.3 MAYOR & COUNCILMEMBER COMMENT(S)

Councilmember Akinjo expressed appreciation for support received during his bereavement leave. Councilmembers Torres-O'Callaghan and Diallo commented and recognized Women's History Month. Vice Mayor Lazard thanked those in attendance. Mayor Dhaliwal expressed condolences to the Akinjo Family for the loss of their beloved Madam Clara Olawobi Fasan.

7. ADJOURNMENT – There being no further business, Mayor Dhaliwal adjourned the meeting at 8:55 p.m., in memory of Madam Clara Olawobi Fasan.



Teresa Vargas, MMC
Government Services Director / City Clerk